

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>10/1/07</u>
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MICHAEL P. TIERNEY,

Plaintiff,

-against-

GERARD A. NEUMANN,

Defendant.

07 CV 04090 (BSJ)

JOINT DISCOVERY PLAN

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, Counsel for Plaintiff Michael P. Tierney ("Plaintiff") and counsel for Defendant Gerard A. Neumann ("Defendant"; together with Plaintiff, the "Parties") have conferred with each other prior to the initial pretrial conference scheduled for September 26, 2007 to discuss the matters set forth in Rule 26(f). The Parties now respectfully submit this Joint Discovery Plan to the Court.

**I. PROPOSED DEADLINES**

The parties jointly propose the following deadlines:

Deadline for the Parties to make Rule 26(a)(1) Disclosures	September 30, 2007
Parties' deadline to respond to discovery requests served before September 30, 2007	October 31, 2007
Deadline to join other parties	January 11, 2008
Parties' deadline to designate expert witnesses, including deadline to make Rule 26(a)(2) Expert Disclosures	January 15, 2008
Parties' deadline to designate rebuttal expert witnesses, including deadline to make Rule 26(a)(2) Expert Disclosures	January 31, 2008
Deadline to complete discovery	February 7, 2008

Deadline to file motions; including summary judgment, other dispositive motions and objections to experts	March 31, 2008
Deadline to submit Joint Pretrial Order if no summary judgment or other dispositive motions filed	March 31, 2008
Deadline to submit Joint Pretrial Order if a Party files a summary judgment or other dispositive motion	Within 30 days after date a ruling on the dispositive motion is entered

## **II. RULE 26(a)(1) DISCLOSURES**

The Parties jointly agree that Rule 26(a)(1) disclosures will be made by September 30, 2007. No changes are necessary to the form or requirements for disclosures under Rule 26(a)(1) of the Federal Rules of Civil Procedure.

## **III. DISCOVERY**

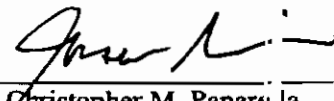
The Parties anticipate that discovery will be completed by February 27, 2008. Discovery will be required on both liability and damages in this case. The forms of discovery permitted under the Federal Rules of Civil Procedure will be appropriate in this case, including interrogatories, requests for production, requests for admission and depositions of the parties, third parties and expert witnesses.

## **IV. PROTECTIVE ORDER**

The parties agree that a protective order in the form attached hereto as Exhibit A is appropriate in this case to prevent the public dissemination of confidential materials.

Dated: New York, New York  
September \_\_, 2007

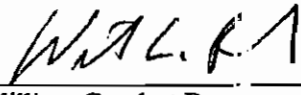
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Dated: New York, New York  
September \_\_, 2007

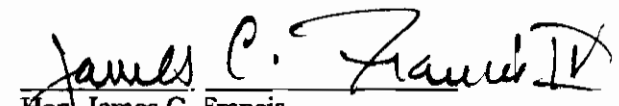
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Attorneys for Michael P. Tierney.

SO ORDERED.

Dated: 10/1/07

  
Hon. James C. Francis  
United States Magistrate Judge